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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. 2:04-cr-00357-MCE
12 Plaintiff,)
13 v.) PRELIMINARY ORDER OF
14 RICHIE MISHAL,) FORFEITURE REGARDING PERSONAL
aka Akram Abdellatif,) PROPERTY OF RICHIE MISHAL AND
aka Tom Hanney, and) FAISAL MOHAMMAD RASHID
FAISAL MOHAMMAD RASHID,)
aka Sal,)
17 Defendants.)

Based upon the plea agreements entered into between plaintiff United States of America and defendants Richie Mishal and Faisal Mohammad Rashid, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. Pursuant to 18 U.S.C. § 982(a)(1) and 21 U.S.C. § 853(a), defendants Richie Mishal and Faisal Mohammad Rashid's interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

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- 1 a. Approximately \$22,366 in U.S. Currency seized
2 on or about September 15, 2004; and
3 b. Approximately \$15,000 in U.S. Currency seized
 on or about February 25, 2004.

4 2. The above-listed property constitutes or was derived
5 from proceeds obtained, directly or indirectly and/or used or
6 intended to be used, in any manner or part, to commit, or to
7 facilitate the commission of violations of 21 U.S.C. §§ 846,
8 841(c)(2) and 960(d)(3) and/or constitutes property, real or
9 personal, involved in a violation of 18 U.S.C. § 1956, or is
10 property traceable to such property.

11 3. Pursuant to Rule 32.2(b), the Attorney General (or a
12 designee) shall be authorized to seize the above-listed property.
13 The aforementioned property shall be seized and held by the
14 United States Marshals Service, in its secure custody and
15 control.

16 4. a. Pursuant to 18 U.S.C. § 982(b)(1), incorporating 21
17 U.S.C. § 853(n), and Local Rule 83-171, the United States
18 forthwith shall publish at least once for three successive weeks
19 in the Daily Recorder (Sacramento County), a newspaper of general
20 circulation located in the county in which the above-listed
21 property was seized, notice of this Order, notice of the Attorney
22 General's (or a designee's) intent to dispose of the property in
23 such manner as the Attorney General may direct, and notice that
24 any person, other than the defendants, having or claiming a legal
25 interest in the above-listed property must file a petition with
26 the Court within thirty (30) days of the final publication of the
27 notice or of receipt of actual notice, whichever is earlier.

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1 b. This notice shall state that the petition shall be
2 for a hearing to adjudicate the validity of the petitioner's
3 alleged interest in the property, shall be signed by the
4 petitioner under penalty of perjury, and shall set forth the
5 nature and extent of the petitioner's right, title or interest in
6 the property and any additional facts supporting the petitioner's
7 claim and the relief sought.

8 c. The United States may also, to the extent
9 practicable, provide direct written notice to any person known to
10 have alleged an interest in the property that is the subject of
11 the Order of Forfeiture, as a substitute for published notice as
12 to those persons so notified.

13 5. If a petition is timely filed, upon adjudication of all
14 third-party interests, if any, this Court will enter a Final
15 Order of Forfeiture pursuant to 18 U.S.C. § 982(a)(1) and 21
16 U.S.C. § 853(a), in which all interests will be addressed.

17 IT IS SO ORDERED.

Dated: September 25, 2007


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE